

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 58677

Canh Huu Vu  
Lieu Thithuy Vu

8304 Berkfield Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 27, 2009, for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01; Baltimore County Code (BCC) section 13-4-201 (b)(d) failure to store trash in containers with tight fitting lids on residential property zoned known as

On April 29, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Jason Seidelman issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 16, 2009 requesting that all trash be contained in trashcans with tight fitting lids. This Citation was issued on April 29, 2009.

B. Photographs in the file show household trash and garbage in plastic bags on the porch, and not properly stored in waterproof cans with tight-fitting lids. Respondents must store their garbage in cans with tight-fitting lids at all times, and may not put bags of garbage on the ground or on the porch.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent corrects the violation and inspections find that garbage is being properly stored in cans with tight-fitting lids. If the Respondent fails to correct the violations, then the full civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 29<sup>th</sup> day of May 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer